

Remarks

Claims 1, 4-8, 12, 13, 15 were pending; claim 8 is presently withdrawn.

Claims 1, 4, 5, 7, 12, 13, 15 and withdrawn claim 8 are amended.

Claim 6 is cancelled.

Claims 21-32 are new.

The application now contains claims 1, 4, 5, 7, 8, 12, 13, 15 and 21-32.

Claims 1, 4, 5, 7, 12, 13 and 15 are amended in the first line to limit the claims to a "polycarbonate or poly-methyl methacrylate optical recording medium substrate with a grooved side coated on the grooved side with" the liquid composition of the invention. Support is found in claim 8.

Claims 1, 4, 5, 7, 12, 13 and 15 are also amended to reword the phrase "of claim x" to read "according to claim x". Claim 7 is further amended to be dependent on claim 1. Support is inherent in the claims.

Claims 8 is amended to reword the phrase in line 5 "the liquid composition of claim 5" to read "a liquid composition comprising" and inserting immediately thereafter the limitations of the liquid composition according to claim 1. Support is inherent in the original claims.

New claims 21-27 are supported by claims 1, 4, 5, 7, 12, 13 and 15 respectively. New claims 28-32 are supported by claim 8; further support for claims 29-32 is found in claims 4, 5, 7 and 12 respectively.

No new matter is added.

Rejections

Claims 1, 4-7, 12, 13 and 15 are rejected under 35 USC 103(a) as being obvious over Kioke JP2002-019793 in view of Fabian, US 4,459,233. Kioke discloses solutions of phthalocyanine dyes in mixtures of selected non-aromatic and aromatic solvents used in preparing optical recording media, but does not disclose the instant aromatic solvents. Fabian discloses the use of iso-propyl and iso-butyl benzene in the purification of phthalocyanine dyes using immiscible mixtures of solvents purification process. The Examiner explains that Fabian is cited to show that one could reasonably substitute butyl benzene for the o-xylene found in Kioke and expect similar results. In the Examiner's opinion, once you make that substitution the instant invention becomes obvious over Kioke.

Applicants respectfully traverse the rejections.

Page 3 of the Action states that the data in table 2 seems to relate only to a coating composition for polycarbonate and does not logically extend to other substrates such as glass. The action further states on page 4 that the data of table 2 is relevant only to grooved substrates. Applicants do not necessarily agree that the data of table 2 can only be applied to grooved polycarbonate substrates, but they can see the logic behind these suggestions, especially as they relate to inorganic substrates such as glass.

In order to further prosecution, Applicants have therefore amended the claims to relate only to a grooved polycarbonate or poly-methyl methacrylate optical recording medium substrate coated on the grooved side with the liquid composition of the invention. Applicants believe that the present data is sufficient to support these limited claims for at least the following reason.

The Action argues that Kioke would make the instant invention obvious if it were true that substituting butyl benzene for o-xylene would provide similar results. The instant specification discusses on page 2 the importance of balancing a combination of solvent properties in the coating of polycarbonate and polyacrylate grooved optical recording media. Table 1 in the instant examples shows that optical media prepared with the instant liquid composition exhibit excellent recording properties. One important criterion is that the solvent does not damage the grooves. The data in instant table 2 clearly shows that in this important criterion, o-xylene is not similar to butyl benzene. Further, the data in table 2 surprisingly shows that even n-butyl benzene is outperformed by s-butyl and t-butyl benzene. Applicants respectfully point out that all the compounds of instant formula I are necessarily phenyl rings substituted by branched alkyl chains similar to s-butyl and t-butyl benzene.

Applicants submit it is clear that if the grooves of the recording media substrate were damaged during the coating process, the performance of the resulting media would suffer. Applicants therefore respectfully maintain that the surprising results shown in table 2, which demonstrate that the instant liquid composition is far less damaging to the polymeric substrate than one comprising the o-xylene of Kioke, provide the unexpected, beneficial results necessary to overcome the present 103(a) rejections.

Applicants respectfully submit that the rejections of claims 1, 4, 5, 7, 12, 13 and 15 under 35 USC 103(a) over Koike JP2002-019793 in view of Fabian, US 4,459,233 are addressed and are overcome and kindly ask that they be withdrawn and claims 1, 4, 5, 7, 12, 13 and 15 be found allowable. Applicants note that new claims 21-27 contain all the limitations of 1, 4, 5, 7, 12, 13 and 15, but are further limited to only polycarbonate substrates. Applicants also kindly ask that claims 21-27 therefore be found allowable.

Upon finding claims 1, 4, 5, 7, 12, 13, 15 and 21-27 allowable, Applicant's further kindly ask that withdrawn claim 8 be rejoined and that claim 8 and dependent claims 28-32 be found allowable.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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